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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Docket No.: Q76526

MASATO HORIE

Conf. No.: 5773

Appln. No.: 10/781,841

Group Art Unit: 1645

Filed: February 20, 2004

Examiner: Unassigned

For: HUMAN SKELETAL MUSCLE-SPECIFIC  
UBIQUITIN-CONJUGATING ENZYME

PETITION UNDER 37 C.F.R. §1.48(c) TO CORRECT INVENTORSHIP

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of Applicant and the Assignee, herein petitions the Commissioner in accordance with 37 C.F.R. § 1.48(c) to correct the inventorship of the above-identified application by adding the names of Tsutomu FUJIWARA and Takeshi WATANABE as co-inventors.

An error occurred in naming the inventors of the above-identified application, i.e., the addition of new Claims 29-35 in the Supplemental Preliminary Amendment filed March 17, 2006, necessitated the addition of Tsutomu FUJIWARA and Takeshi WATANABE as co-inventors. Submitted herewith is a Statement from the Inventors to be added establishing that the error in inventorship occurred without deceptive intent on their part.

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Also submitted herewith is an executed Declaration and Power of Attorney and a Declaration by all of the actual inventors as required by 37 C.F.R. § 1.63, along with a Consent

**PETITION TO CORRECT INVENTORSHIP**  
**U.S. Appln. No. 10/781,841**

of the current Assignee of this application, Otsuka Pharmaceutical Co., Ltd.

A check in the amount of \$130.00, as set forth in 37 C.F.R. § 1.17(i), is attached.

The U.S. Patent and Trademark Office is hereby directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

  
\_\_\_\_\_  
Gordon Kit

Registration No. 30,764

**SUGHRUE MION, PLLC**

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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: April 17, 2006

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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For: HUMAN SKELETAL MUSCLE-SPECIFIC  
UBIQUITIN-CONJUGATING ENZYMECONSENT OF THE ASSIGNEE TO CORRECTION OF  
INVENTORSHIP IN ACCORDANCE WITH 37 C.F.R. § 1.48Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned, a representative of OTSUKA PHARMACEUTICAL CO., LTD., represents that OTSUKA PHARMACEUTICAL CO., LTD. is the current owner of the entire right, title and interest of U.S. Application No. 10/781,841, filed on February 20, 2006, for "HUMAN SKELETAL MUSCLE-SPECIFIC UBIQUITIN-CONJUGATING ENZYME" by virtue of an Assignment recorded on January 19, 2006.

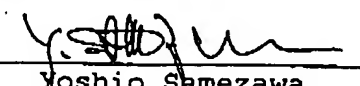
The undersigned hereby certifies that the above-mentioned Assignment has been reviewed and to the best of the undersigned's knowledge and belief, title is in OTSUKA PHARMACEUTICAL CO., LTD. who is seeking to take this action.

The undersigned (whose title is supplied below) is empowered to sign this consent statement on behalf of the assignee.

OTSUKA PHARMACEUTICAL CO., LTD., hereby consents to the correction of inventorship in connection with the above-identified application whereby the names of Tsutomu FUJIWARA and Takeshi WATANABE are added as co-inventors.

OTSUKA PHARMACEUTICAL CO., LTD.

Date: April 4, 2006

  
Name: Yoshio Samezawa  
Title: Director of Intellectual  
Property Department

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MASATO HORIE

Appln. No.: 10/781,841

Filed: February 20, 2004



Docket No.: Q76526

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Group Art Unit: 1645

Examiner: Unassigned

For: HUMAN SKELETAL MUSCLE-SPECIFIC  
UBIQUITIN-CONJUGATING ENZYME

STATEMENT OF ADDED INVENTORS IN SUPPORT OF PETITION  
UNDER 37 C.F.R. § 1.48 TO CORRECT INVENTORSHIP

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We, the inventors being added to the above-identified application do hereby declare that an error occurred in naming the inventors of the above-identified application, and that the addition of new Claims 29-35 in the Supplemental Preliminary Amendment filed March 17, 2006, necessitated the addition of us as co-inventors, and that the inventorship error occurred without deceptive intention on our part.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful statements and the like so made are punishable by fine or imprisonment or both under 18 USC §1001, and may jeopardize the validity of the application or any patent issuing thereon.

Date: April 4, 2006

Tsutomu Fujiwara  
Tsutomu FUJIWARA

Date: April 4, 2006

Takeshi Watanabe  
Takeshi WATANABE

**DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)**

As a below named inventor, I hereby declare that: My residence, mailing address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**HUMAN SKELETAL MUSCLE-SPECIFIC UBIQUITIN-CONJUGATING ENZYME**

the application of which  
☐ is attached hereto



OR

☒ was filed on February 20, 2004 as United States Application Number or PCT International Application Number 10/781,840 (Confirmation No. \_\_\_\_\_), and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part application(s), material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) having a filing date before that of the application on which priority is claimed.

Prior Application Number(s)	Country	Filing Date	Priority Claimed	
			Yes	No
<u>63410/1996</u>	<u>Japan</u>	<u>19/03/1996</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>69163/1997</u>	<u>Japan</u>	<u>05/03/1997</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I hereby claim benefit under 35 United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)

Filing Date

I hereby claim benefit under 35 United States Code §120 of any United States application(s) or §365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any information material to the patentability of this application as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. or International Application Number(s)	U.S. or International Filing Date	Status
<u>10/342,276</u>	<u>15/01/2003</u>	<u>Pending</u>
<u>09/976,165</u>	<u>15/10/2001</u>	<u>Patented</u>
<u>09/565,538</u>	<u>05/05/2000</u>	<u>Patented</u>
<u>09/273,565</u>	<u>22/03/1999</u>	<u>Patented</u>
<u>09/055,699</u>	<u>07/04/1998</u>	<u>Patented</u>
<u>08/820,170</u>	<u>19/03/1997</u>	<u>Patented</u>

I hereby appoint all attorneys of SUGHRUE MION, PLLC who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>NAME OF SOLE OR FIRST INVENTOR:</b>			
Given Name (first and middle [if any]) Tsutomu		Family Name or Surname FUJIWARA	
Inventor's Signature <i>Tsutomu Fujiwara</i>		Date March 2, 2006	
Residence: City Naruto-shi	State Tokushima-ken	Country Japan	Citizenship Japan
Mailing Address: 161-8, Aza Nakajima, Takashima, Naruto-cho			
City Naruto-shi	State Tokushima-ken	Zip	Country Japan
<b>NAME OF SECOND INVENTOR:</b>			
Given Name (first and middle [if any]) Takeshi		Family Name or Surname WATANABE	
Inventor's Signature <i>Takeshi Watanabe</i>		Date March 2, 2006	
Residence: City Itano-gun	State Tokushima-ken	Country Japan	Citizenship Japan
Mailing Address: Rich de Aizumi 801, 4-1, Aza Tomiyoshi, Tomiyoshi, Aizumi-cho			
City Itano-gun	State Tokushima-ken	Zip	Country Japan
<b>NAME OF THIRD INVENTOR:</b>			
Given Name (first and middle [if any]) Masato		Family Name or Surname HORIE	
Inventor's Signature <i>Masato Horie</i>		Date March 2, 2006	
Residence: City Tokushima-shi	State Tokushima-ken	Country Japan	Citizenship Japan
Mailing Address: Lavendar Haitzu 308, 4-44, Minamitamaya 4-chome			
City Tokushima-shi	State Tokushima-ken	Zip	Country Japan